

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

|  |   |                               |
|--|---|-------------------------------|
| Daniel H. Haus and Jacalyn Haus,         | ) |                               |
|  | ) |                               |
| Plaintiff,                               | ) |                               |
|  | ) |                               |
| vs.                                      | ) |                               |
|  | ) |                               |
| Albert R. Ginn, Jr.,                     | ) |                               |
|  | ) | Case No. 1:06-cv-089          |
| Defendant/Couterclaim Plaintiff,         | ) |                               |
|  | ) |                               |
| vs.                                      | ) |                               |
|  | ) |                               |
| Daniel Haus and Twin City Tire Company   | ) |                               |
| dba Avis-Rent-A-Car,                     | ) |                               |
|  | ) |                               |
| Counterclaim Defendants.                 | ) |                               |
| <hr style="border: 0.5px solid black;"/> |   | <b>ORDER OF CONSOLIDATION</b> |
|  | ) |                               |
| Albert R. Ginn,                          | ) |                               |
|  | ) |                               |
| Plaintiff,                               | ) |                               |
|  | ) |                               |
| vs.                                      | ) |                               |
|  | ) |                               |
| Twin City Tire Company dba               | ) | Case No. 1:07-cv-005          |
| Avis-Rent-A-Car,                         | ) |                               |
|  | ) |                               |
| Defendant.                               | ) |                               |

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On February 22, 2007, the court convened a scheduling conference in Case No. 1:06-cv-089. During the conference the parties requested that this case be consolidated for all purposes with Case No. 1:07-cv-005.

Rule 42 of the Federal Rules of Civil Procedure allows for the consolidation of actions involving common questions of law or fact pending before the Court. Having reviewed the

respective complaints, the court finds that common questions of law and fact exist so as to warrant consolidation. Further, a consolidation of the above-entitled actions would provide for the best use of judicial resources. Accordingly, the court **GRANTS** the parties' request and **ORDERS** that Case Nos. 1:06-cv-089 and 1:07-cv-005 shall in all respects be **CONSOLIDATED**. Case No. 1:06-cv-089 shall be designated the lead file and all future filings shall be made in that file.

Dated this 22<sup>nd</sup> day of February, 2007.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge